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Docket-222

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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23 JUN 1993

IN REPLY REFER TO:

7330-7/1700A3

RECEIVED

JUN 24 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Ben Nighthorse Campbell
United States Senate
717 Hart Senate Office Building
Washington, D.C. 20510

Dear Congressman Campbell:

This is in reply to your letter of June 7, 1993, in which you inquired on behalf of your constituent, Mr. L. Dennis Fisher, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals, plus a discussion paper released March 1, 1993.

We are sensitive to the needs of users of private land mobile radio spectrum and the impact that these proposals may have on their radio systems. We will endeavour to protect all private land mobile radio systems, including those operated by public safety entities. Your letter will be included in the record of this proceeding and will be fully evaluated when we develop final rules.

Thank you for your interest in this proceeding. We expect to issue final rules in 1994.

Sincerely,

Edward R. Jacobs

Edward R. Jacobs
Deputy Chief, Land Mobile and
Microwave Division

Enclosures

No. of Copies rec'd 2 copies
List A B C D E

United States Senate
WASHINGTON, DC 20510-0605

PRB
92-235
2431

June 7, 1993

Mr. Stephen Klitzman
Associate Director
Federal Communications Commission
1919 M Street, NW, Room 808
Washington, DC 20554

Dear Mr. Klitzman:

I am writing to you regarding the Notice of Proposed Rule Making
in PR Docket 92-235.

I have enclosed a letter from a constituent of mine, Mr. L.
Dennis Fisher, Chairman of the Routt County Board of County
Commissioners, who has voiced his concern with this proposal as
it would have a considerable impact on communications facilities
within the county.

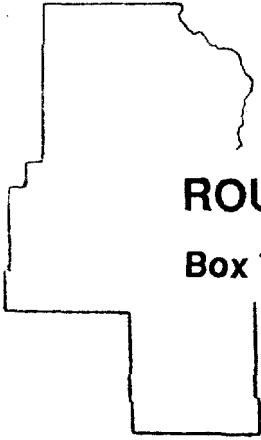
I would appreciate it if you would keep his concerns in mind as
you decide on the final language of the rule.

Thank you in advance for your consideration.

Sincerely,


Ben Nighthorse Campbell
U.S. Senator

BNC/sdv
Enclosure



ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

Box 773598 • Steamboat Springs • Colorado 80477 • 303/879-0108

Fax: 303/879-3992

May 10, 1993

Nancy Stahovlak
District 1
Oak Creek

Ben S. Beall
District 2
Hayden

L. Dennis Fisher
District 3
Steamboat Springs

Dorothy L. Mariano
Clerk of the Board
Box 773598
879-1710

Senator Ben Nighthorse Campbell
United States Senate
717 Hart Senate Office Bldg.
Washington, DC 20510

Re: PR Docket No. 92-235 Proposed Rule Making

Dear Senator Campbell:

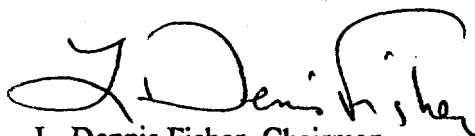
On behalf of Routt County, I am writing to express our concerns regarding the above referenced proposed rule, "Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them".

Enclosed is a copy of comments and suggested remedies submitted by Michael G. Loth, Director of Routt County Communications Center, regarding this proposed rule. I am particularly concerned about the resulting increase in cost to Routt County taxpayers and the degradation of our Communication's Networks. Your support in this matter would be very much appreciated.

If you have any questions or wish to discuss further, please feel free to contact me at (303) 879-0108. Thank you for your consideration.

Sincerely,

ROUTT COUNTY BOARD OF COMMISSIONERS


L. Dennis Fisher, Chairman

LDF/jmb

Federal Communications Commission
Office of the Secretary
Washington, DC 20554

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In the Matter of)

Replacement of Part 90 by Part 88 to)
Revise the Private Land Mobile Radio)
Services and Modify the Policies)
Governing Them)

PR Docket No. 92-235

ROUTT COUNTY COMMUNICATIONS

II. COMMENTS

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1. Perceived Problem:

In Routt County there are International Ski Resorts, and world famous hunting and fishing areas. This unique features attract visitors from all countries of the world. When the guest from other countries travel to Routt County they sometimes bring with them their communication equipment which is quite legal in their country but is operated illegally in this country, thus interfering with our public safety communications. To date all operators have ceased operation when contacted. Two perceived problems arise out out this situation.

- a. Spectrum compatibility with the federal and local governments of other countries. Under the purposed refarming when this

COPY

3. Perceived Problem:

Over 90% of the agencies this center serves and the centers communication equipment will not adapt to the new 1996 transmit and receive standards for various reasons. This will cost the tax payers of the county of Routt over \$500,000.00. Each agency will upgrade on a different time schedule.

Suggested Remedy:

Set the migration time table the same for all PLMR users but use a longer time period possible 7 to 10 years requiring all new equipment to be backwards compatible and then require all PLMR users to conform to the new spectrum at the same time. This will allow public safety users to realistically replace all equipment and comply with the requirements.

4. Perceived Problem:

The area covered by this center is mountainous. Approximately 75% of the county is covered with radio communications. The remainder is shielded by terrain. This situation is not easily corrected under the current regulations using high power transmitters. The purposed ERP/HAAT limitations will effectively shut down public safety communications in this county. Under the new regulations we would have to triple or quadruple the number of sites that we use for repeaters and remote bases. This is out of the question financially and also from a practical stand point. Many of the desirable transmit sites in Routt County are in National Forest much of which is wilderness area. To make matters worse it is the USFS current position to limit approved radio sites in the national forest.

Suggested Remedy:

Assign licenses by area and allow frequency coordination to set ERP/HAAT and use of directional antennas to cover only the licensed area. With the current state of the art computer systems this is a more realistic approach than the unworkable flat land approach used in the proposal.

5. Perceived Problem:

Much of the communications in this area uses repeaters because of the



COPY

III. POSITIVE EFFECTS

TRUNKING BELOW 800 MHz:

This is one of the most positive moves the commission has suggested. It should be implemented immediately. Just this one change could alleviate many of the frequency shortages in many areas of the country.

RULE SIMPLIFICATION:

Part 90 is outdated and bloated and needs to be updated. This must be carried out in organized and coordinated manner.

IV. CONCLUSIONS

Overall the concerns of this county communication center with the purposed rule making are as follows.

Cost to the tax payer.

Time to implement within budgetary constraints.

Interagency operability.

Stability of emergency communication plans.

System degradation.

The over all end result of the purposed rule making should enhance the use of PLMR for all users. As purposed We see very few advantages. It is the belief of this center that after the period for public input is over a clearer picture of what is needed will be available to the commission so that a revised rule making and proposal can be constructed.

Respectfully Submitted May 5, 1993



Michael G. Loth
Routt County Communication Center
P.O. Box 773598
Steamboat Springs, CO 80477-3598

(303) 879-1110

FAX (303) 870-1246

cc: Senator Ben Nighthorse Campbell
Senator Hank Brown
Representative Scott McInnis
Routt County Colorado Commissioners